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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/578,091 | Joseph E. Fitzgerald | 200406552-4 |

22879

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

| | |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/US04/39658 | |
| I.A. FILING DATE | PRIORITY DATE |
| 11/24/2004 | 11/26/2003 |

CONFIRMATION NO. 4743

371 FORMALITIES LETTER



OC000000021818288

Date Mailed: 01/04/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/03/2006
- Copy of the International Search Report filed on 05/03/2006
- Information Disclosure Statements filed on 05/03/2006
- Oath or Declaration filed on 05/03/2006
- U.S. Basic National Fees filed on 05/03/2006
- Priority Documents filed on 05/03/2006

COPY

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

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For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

JOHN L. ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/578,091 | PCT/US04/39658 | 200406552-4 |

FORM PCT/DO/EO/905 (371 Formalities Notice)

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400



PATENT APPLICATION

ATTORNEY DOCKET NO. 200406552-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Joseph Fitzgerald, et al.

Confirmation No.: 4743

Application No.: 10/578,091

Examiner: Unknown

Filing Date: 11/24/2004

Group Art Unit: N/A

Title: **SYSTEM AND METHOD FOR MANAGEMENT AND INSTALLATION OF OPERATING SYSTEM IMAGES FOR COMPUTERS**

Mail Stop Missing Parts
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR SUBMITTAL OF MISSING PARTS

This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(f) mailed on 01/04/2007.
Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

- ☒ Executed Declaration and Power of Attorney. The above-identified application is the same application which the inventor executed by signing the enclosed declaration.
- ☐ Statutory basic filing, search and examination fee: ☐ Utility \$1000 ☐ Design \$430
- ☐ Additional claim fees of \$ _____
- ☐ Application Size Fee *Number of Pages Over* _____ *Additional Fee \$* _____
(additional 50 sheets that exceeds 100 sheets)
- ☐ Missing Parts Surcharge - \$130.00
- ☒ A Petition for Extension of Time for reply to Notice of Missing Parts is attached.
- ☒ 1st Month \$120 ☐ 2nd Month \$450 ☐ 3rd Month \$1020 ☐ 4th Month \$1590
- ☒ Please charge to Deposit Account 08-2025 the sum of \$ 120. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

- ☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313-1450
Date of Deposit: 03/29/2007

OR

- ☐ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.
Date of facsimile:

Typed Name: Alison L. Subendran

Signature: Alison L. Subendran

Respectfully submitted,
Joseph Fitzgerald, et al.

By Edward J. Brooks III

Edward J. Brooks III

Attorney/Agent for Applicant(s)

Reg No. : 40,925

Date : 03/29/2007

Telephone : (612) 236-0120

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400



PATENT APPLICATION

ATTORNEY DOCKET NO. 200406552-4

Inventor(s): Joseph Fitzgerald, et al

Confirmation No.: 4743

Application No.: 10/578,091

Examiner: Unknown

Filing Date: 11/24/2004

Group Art Unit:

Title: **SYSTEM AND METHOD FOR MANAGEMENT AND INSTALLATION OF OPERATING SYSTEM IMAGES FOR COMPUTERS**

Missing Parts

Mail Stop ~~██████████~~
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PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE ~~██████████~~

Transmitted herewith is/are the following in the above-identified application:

- ☐ Response/Amendment
☐ New fee as calculated below
☒ No additional fee
☒ Other Decl. of Edward J. Brooks III, Affid. of Tuan V. Ngo, Tran. Missing Parts, docs (5) Fee\$
☒ Petition to extend time to respond
☐ Supplemental Declaration
Copy of Cert. of ownership

| CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY | | | | | | |
|---|---|---|--|--|-------------|---------------------------|
| (1) FOR | (2) CLAIMS REMAINING AFTER AMENDMENT | (3) NUMBER EXTRA | (4) HIGHEST NUMBER PREVIOUSLY PAID FOR | (5) PRESENT EXTRA | (6) RATE | (7) ADDITIONAL FEES |
| TOTAL CLAIMS | | MINUS | | = 0 | X \$50 | \$ 0 |
| INDEP. CLAIMS | | MINUS | | = 0 | X \$200 | \$ 0 |
| <input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM | | | | | + \$360 | \$ 0 |
| EXTENSION FEE | <input type="checkbox"/> 1st Month \$120 | <input type="checkbox"/> 2nd Month \$450 | <input type="checkbox"/> 3rd Month \$1020 | <input type="checkbox"/> 4th Month \$1590 | | \$ 0 |
| OTHER FEES | | | | | | \$ |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | \$ 0 |

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit: 03/29/2007

Typed Name: Alison L. Subendran

Signature: *ASL*

Respectfully submitted,

Joseph Fitzgerald, et al

By *Edward J. Brooks III*

Edward J. Brooks III

Attorney/Agent for Applicant(s)

Reg No. : 40,925

Date : 03/29/2007

Telephone : (612) 236-0120

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| <p>1. Article Addressed to:</p> <p><i>Edward Kahn</i> <i>31 Miller Hill Woods Ct.</i> <i>Kent, Lakes, NY 10512-3308</i></p> | | <p>B. Received by (Printed Name) <i>E. Kahn</i> C. Date of Delivery <i>3/2/07</i></p> | |
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| <p>2. Article Number (Transfer from service)</p> | | <p><i>7002 3150 0000 3736 5730</i></p> | |
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| | | 102595-01-M-2509 | |

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Brooks & Cameron, PLLC
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Brooks & Cameron, PLLC

Intellectual Property Attorneys

February 15, 2007

Edward Kahn
31 Miller Hill Woods Ct.
Kent Lakes, NY 10512-3308

RE: 2ND ATTEMPT - SYSTEM AND METHOD FOR MANAGEMENT AND INSTALLATION OF
OPERATING SYSTEM IMAGES FOR COMPUTERS

HP Reference: 200406562-4
Our Reference: 301.0680004
US Serial No.: 10/578,091

COPY

Dear Mr Kahn:

We represent Hewlett Packard Company in the above referenced matter.

While you were employed with Novadigm, you worked on a provisional patent application that the above matter is based on. The provisional application was later filed in the PCT, and the above matter is the resulting US application. Novadigm was subsequently purchased by Hewlett Packard (HP), along with all IP rights.

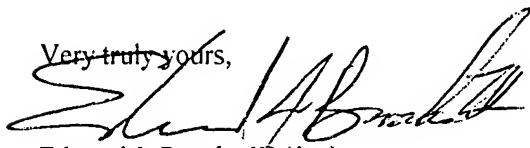
The assignment document you signed while employed with Novadigm assigns all rights to the application and subsequent applications to Novadigm (now owned by HP).

In order to file an application in the US, a declaration must be signed by all inventors. When the Novadigm application was filed, it was done so without a declaration, so I am enclosing one now for your signature. The same will be sent to Joseph Fitzgerald, Phillip Burgard and Harry Moeller.

Please sign this document and fax a copy of it back to us at (612) 659-9344, then mail the original to us to store with the file.

If you have any questions or concerns regarding this case, please do not hesitate to contact me at (612) 236-0120. Thank you in advance for your assistance!

Very truly yours,



Edward J. Brooks III (Jay)
Managing Partner

Enclosure(s)

0035 9636 0000 0576 2002

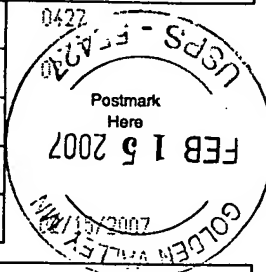
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| Total Postage & Fees | \$ 4.88 |

0422



Sent To Edward Kahn
Street, Apt. No.,
or PO Box No. 31 Miller Hill Woods Ct
City, State, ZIP+4 Kent Lakes, NY 10512-3308
PS Form 3800, June 2002 See Reverse for Instructions

SECURING YOUR INNOVATION™

1221 Nicollet Avenue, Suite 500 Minneapolis, MN 55403 Telephone: 612-659-9340 Fax 612-659-9344

Brooks & Cameron, PLLC

Intellectual Property Attorneys



COPY

February 2, 2007

Edward Kahn
31 Miller Hill Woods Ct.
Kent Lakes, NY 10512-3308

RE: SYSTEM AND METHOD FOR MANAGEMENT AND INSTALLATION OF OPERATING
SYSTEM IMAGES FOR COMPUTERS

HP Reference: 200406562-4
Our Reference: 301.0680004
US Serial No.: 10/578,091

Dear Mr Fitzgerald:

We represent Hewlett Packard Company in the above referenced matter.

While you were employed with Novadigm, you worked on a provisional patent application that the above matter is based on. The provisional application was later filed in the PCT, and the above matter is the resulting US application. Novadigm was subsequently purchased by Hewlett Packard (HP), along with all IP rights.

The assignment document you signed while employed with Novadigm assigns all rights to the application and subsequent applications to Novadigm (now owned by HP).

In order to file an application in the US, a declaration must be signed by all inventors. When the Novadigm application was filed, it was done so without a declaration, so I am enclosing one now for your signature. The same will be sent to Philip Burgard, Edward Kahn and Harry Moeller.

Please sign this document and fax a copy of it back to us at (612) 659-9344, then mail the original to us to store with the file.

If you have any questions or concerns regarding this case, please do not hesitate to contact us. Thank you in advance for your assistance!

Very truly yours,

A handwritten signature in black ink, appearing to read "Jay Brooks", written over the "Very truly yours," text.

Edward J. Brooks III (Jay)
Managing Partner

Enclosure(s)

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1221 Nicollet Avenue, Suite 500 Minneapolis, MN 55403 Telephone: 612-659-9340 Fax 612-659-9344

Brooks & Cameron, PLLC

Intellectual Property Attorneys

February 27, 2007

Edward Kahn
31 Miller Hill Woods Ct.
Kent Lakes, NY 10512-3308

RE: 3rd ATTEMPT - SYSTEM AND METHOD FOR MANAGEMENT AND INSTALLATION OF
OPERATING SYSTEM IMAGES FOR COMPUTERS

HP Reference: 200406552-4
Our Reference: 301.0680004
US Serial No.: 10/578,091

Dear Mr Kahn:

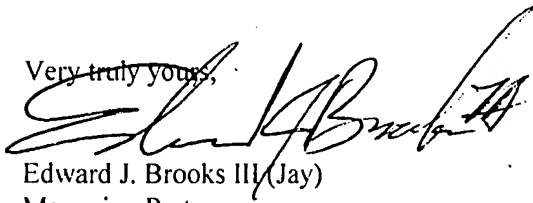
This is our third attempt to reach you. We are requesting that you sign the enclosed Declaration for the above referenced matter, which is based on the provisional application you worked on while employed at Novadigm. This declaration is required of all patent applications filed in the US.

We have received the signed documents from Joseph Fitzgerald, Phil Burgard, and Harry Moeller. I am enclosing a copy of their signed documents with this letter. Once we receive your document, we will file it with the USPTO to get the application moving again.

Please sign this document and fax a copy of it back to us at (612) 659-9344, then mail the original to us to store with the file.

If you have any questions or concerns regarding this case, please do not hesitate to contact me at (612) 236-0120. Thank you in advance for your assistance!

Very truly yours,



Edward J. Brooks III (Jay)
Managing Partner

Enclosure(s)

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Kent Lakes, NY 10512-3308

2. Article Number

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Kent Lakes, NY 10512-3308

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